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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/656,507	09/04/2003	Satoshi Oshima	16869K-092500US	8026

20350 7590 01/30/2006

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EXAMINER
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REVAK, CHRISTOPHER A

ART UNIT	PAPER NUMBER
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2131

DATE MAILED: 01/30/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/656,507	OSHIMA ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Christopher A. Revak	2131	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 03 October 2005.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 07 July 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                        | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

## **DETAILED ACTION**

### ***Response to Arguments***

1. Applicant's arguments filed October 3, 2005 have been fully considered but they are not persuasive.

It is argued by the applicant that the prior art fails to disclose "updating security information stored in the storage device that the client manages in the server without communication between the client and server. The examiner respectfully disagrees. Information on the server is updated at the web site that is accessed through means of a server, see column 2, lines 2-3 and 24. It is interpreted that there is no communication between the client and the server because the server is updated periodically before the client has access to the update.

### ***Claim Rejections - 35 USC § 112***

2. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

3. Claims 1-21 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claims contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. There is no support in the applicant's specification for "updating security

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information stored in the storage device that the client manages in the server without communication between the client and server."

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Claims 8-13 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In line 2 of claim 8, it is recited of the "client comprising" and later on lines 3-5, it is recited of a "a unit managing said storage in said server" which then later recites that "security information being updated without communication between said client and said server". How the can the client that "comprises" a managing unit reference information in the storage at the server without communication between the client and the server since the managing unit is within the client.

### ***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 1-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sampath et al, U.S. Patent 6,266,774 in view of Kamath et al, U.S. Patent 6,754,696.

As per claim 1, Sampath discloses of a method for updating antivirus programs (security information) in which a client is connected to a server through a network (col. 4, lines 5-16 and col. 7, lines 28-34). The antivirus program (security information) reference by the client is stored in memory and is updated (col. 4, lines 20-27 and col. 7, lines 25-43). Information on the server is updated at the web site (hosted by a server)(col. 2, lines 2-3 & 24) and it is interpreted that there is no communication between the client and the server because the server is updated periodically before the client has access to the update. The teachings of Sampath et al are silent in disclosing of the server including a storage device that is managed by the client. The teachings of Kamath et al disclose of the server including a storage device that is managed by the client (col. 2, lines 6-22). It would have been obvious to a person of ordinary skill in the art at the time of the invention to have been motivated to apply remotely located storage means that is managed by a client. Sampath et al discloses of motivational benefits by reciting that by providing an external storage drive, it is a transparent process of transferring and updating from the remote drive to the client computer (col. 2, lines 13-17) and that directories and files are stored remotely and the files can be retrieved only when required (col. 2, lines 7-10), thus freeing up storage on a client device that is an obvious distinction when applied to the teachings of Sampath et al that would only access to the updated antivirus information (security information) only when required by the client through remote access as taught by Kamath et al.

As per claims 2,9, and 15, the teachings of Kamath et al disclose of the server including a storage device that is managed by the client (col. 2, lines 6-22). It is

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interpreted by the examiner that the client is viewed as not having a local disk device in the aspect that the information that is stored on the remote disk drive, please refer above to the motivational benefit of applying the teachings of Kamath et al and the use of remote storage devices connected to a server that is managed by a client.

As per claims 3,10, and 16, the teachings of Sampath et al are relied upon for the use of updating antivirus software (security information) on a client computer. Kamath et al discloses of a server connected to a client component (management computer) through the network that handles updating of information on a remote drive (col. 2, lines 6-22), please refer above to the motivational benefit of applying the teachings of Kamath et al and the use of remote storage devices connected to a server that is managed by a client.

As per claims 4,11, and 17, Sampath et al discloses that the antivirus program (security information) includes attributes relating to the files that the client uses (col. 7, lines 28-34 & 44-47). Kamath et al is relied upon for the disclosure of a storage device that the client manages at the server that stores files that the client uses (col. 2, lines 3-10), please refer above to the motivational benefit of applying the teachings of Kamath et al and the use of remote storage devices connected to a server that is managed by a client.

As per claims 5,12, and 18, Sampath et al teaches that the antivirus program (security information) includes user identification and a password (access control information) with respect to the files that the client uses (col. 4, lines 15-20 and col. 7, lines 28-34).

As per claims 6 and 19, Sampath et al discloses of the client referencing the antivirus program (security information) of the client (col. 4, lines 20-27 and col. 7, lines 28-34).

As per claims 7,13, and 20, it is taught by Sampath et al that the antivirus program (security information) includes a password (authentication information) for permitting use of the client by a user (col. 4, lines 15-20 and col. 7, lines 28-34).

As per claims 8,14, and 21, Sampath et al discloses of a client connected to a server through a network including a client storage device that stores antivirus programs (security information)(col. 4, lines 5-16 & 20-27 and col. 7, lines 25-43). The antivirus programs (security information) reference by the client are automatically updated (col. 7, lines 28-34 & 44-47 and col. 8, lines 45-48). Information on the server is updated at the web site (hosted by a server)(col. 2, lines 2-3 & 24) and it is interpreted that there is no communication between the client and the server because the server is updated periodically before the client has access to the update. The teachings of Sampath et al are silent in disclosing of a unit that manages storage in the server and for referencing the information on the remote drive. Kamath et al discloses of a server connected to a client component (management unit/computer) through the network that handles updating of information on a remote drive (col. 2, lines 6-22). It would have been obvious to a person of ordinary skill in the art at the time of the invention to have been motivated to apply remotely located storage means that is managed by a client. Sampath et al discloses of motivational benefits by reciting that by providing an external storage drive, it is a transparent process of transferring and updating from the remote

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drive to the client computer (col. 2, lines 13-17) and that directories and files are stored remotely and the files can be retrieved only when required (col. 2, lines 7-10), thus freeing up storage on a client device that is an obvious distinction when applied to the teachings of Sampath et al that would only access to the updated antivirus information (security information) only when required by the client through remote access as taught by Kamath et al.

As per claim 22, Sampath discloses of a method for updating antivirus programs (security information) in which a client is connected to a server through a network (col. 4, lines 5-16 and col. 7, lines 28-34). The antivirus program (security information) is stored in memory and is updated (col. 4, lines 20-27 and col. 7, lines 25-43). Sampath et al teaches that the antivirus program (security information) includes user identification and a password (access control information) with respect to the files that the client uses (col. 4, lines 15-20 and col. 7, lines 28-34). The teachings of Sampath et al are silent in disclosing of the server including a storage device that is managed by the client. The teachings of Kamath et al disclose of the server including a storage device that is managed by the client (col. 2, lines 6-22). It would have been obvious to a person of ordinary skill in the art at the time of the invention to have been motivated to apply remotely located storage means that is managed by a client. Sampath et al discloses of motivational benefits by reciting that by providing an external storage drive, it is a transparent process of transferring and updating from the remote drive to the client computer (col. 2, lines 13-17) and that directories and files are stored remotely and the files can be retrieved only when required (col. 2, lines 7-10), thus freeing up storage on



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a client device that is an obvious distinction when applied to the teachings of Sampath et al that would only access to the updated antivirus information (security information) only when required by the client through remote access as taught by Kamath et al.

### ***Conclusion***

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).


A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.


9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christopher A. Revak whose telephone number is 571-272-3794. The examiner can normally be reached on Monday-Friday, 6:30am-3:00pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz Sheikh can be reached on 571-272-3795. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Christopher Revak  
Primary Examiner  
AU 2131  
1/22/06

CR  
  
January 22, 2006